

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIADENNIS JOEY,
Petitioner,

v.

JIM ROBERTON, Warden,
Respondent.

Case No. 21-09370 BLF (PR)

**ORDER GRANTING EXTENSION
OF TIME TO FILE COMPLETE *IN
FORMA PAUPERIS* APPLICATION**

On December 3, 2021, Petitioner, a California state prisoner, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. Dkt. No. 1. On the same day, the Clerk sent Petitioner a notice informing him that the action was deficient because he did not pay the filing fee or file an *In Forma Pauperis* (“IFP”) application. Dkt. No. 2. Petitioner was directed to respond within twenty-eight days or else the case would be dismissed. *Id.* Petitioner was also sent a notice that the matter was assigned to a magistrate judge and that he must file consent or declination to magistrate judge jurisdiction. Dkt. No. 6. Petitioner filed consent on December 17, 2021. Dkt. No. 4. Because Petitioner did not file an IFP application in the time provided, this matter is ripe for dismissal. The matter was reassigned to this Court on January 10, 2022. Dkt. Nos. 5, 6.

In the interest of justice, Petitioner shall be granted an extension of time to file a

1 complete IFP application showing indigency in order to proceed with this action.

2 Petitioner shall do so **no later than twenty-eight (28) days** from the filing date of this
3 order.

4 **Failure to respond to this order in the time provided will result in the dismissal**
5 **without prejudice of this action without further notice to Petitioner.**

6 The Clerk shall include the court's IFP application with a copy of this order to
7 Petitioner.

8 **IT IS SO ORDERED.**

9 Dated: January 26, 2022


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California

25 Order Granting EOT to file IFP App.
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